

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

SUMNER SQUARE  
1615 M STREET, N.W.  
SUITE 400  
WASHINGTON, D.C. 20036-3215

(202) 326-7900

FACSIMILE:  
(202) 326-7999

July 8, 2024

*Via ECF*

The Honorable Sarah Netburn  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) in connection with the Court’s June 27, 2024 Order directing “[a]ny party seeking to seal documents [to] file a letter brief by July 10, 2024,” and stating that such letter briefs “should not exceed five pages.” ECF No. 10031.

Earlier today, the New York Times (“Times”) filed a five-page letter requesting the unsealing of “Plaintiffs’ and Defendants’ initial averments, filed in support of and opposition to the Kingdom’s motion to dismiss,” and of “any exhibits attached to the averments, in any form.” ECF No. 10067, at 2. The letter further requests that the hearing on Saudi Arabia’s renewed motion to dismiss be postponed until “10 days after the now-sealed materials are made public.” *Id.* at 5. It will be most efficient for Saudi Arabia to respond to the Times’ arguments in its July 10 letter brief rather than filing a separate response. In order to do so, Saudi Arabia requests an extension of the page limit from five to eight pages.

In addition, Saudi Arabia requests permission to submit to chambers a USB drive containing certain confidential material that is presently under seal: (a) copies of all exhibits Saudi Arabia seeks to maintain under seal in their entirety, all of which have previously been filed, and (b) copies of the parties’ renewed motion to dismiss filings and exhibits with proposed redactions for confidential information that Saudi Arabia has previously served on Plaintiffs, the FBI, and Dallah Avco. If permission is granted, Saudi Arabia will also serve copies of the same materials on Plaintiffs, the FBI, and Dallah Avco.

The FBI consents to the relief requested in this letter and requests that, to the extent the Court grants Saudi Arabia’s request for a page enlargement, the FBI be allowed the same number of pages. Dallah Avco does not object to the relief requested in this letter.

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

The Honorable Sarah Netburn  
July 8, 2024  
Page 2

Plaintiffs have asked that their position be stated as follows: “Plaintiffs note that Saudi Arabia’s proposal gives rise to an expanded scope of briefing, featuring more parties, a wider range of issues, and longer briefs. Plaintiffs request that to the extent Saudi Arabia’s proposal is granted, Plaintiffs be granted the same number of pages for any reply letter-brief.”

Respectfully submitted,

*/s/ Michael K. Kellogg*

Michael K. Kellogg  
*Counsel for the Kingdom of Saudi Arabia*

cc: All MDL Counsel of Record (via ECF)